REMARKS

Favorable reconsideration in view of the here with presented amendment and remarks is respectfully requested.

Claim 14 is object to because of the misspelling of a word. This has been corrected.

Reconsideration and withdrawal of this objection is requested.

The Examiner has objected the drawings to because the figure components are not labeled. We attach replacement figures with the components labeled. No new matter has been introduced in the replacement figures.

CLAIM REJECTIONS UNDER 35 USC §102(e)

Claims 1, 2, 4, 11, 14 and 15 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 5,906,656 ("Keller Patent").

Even if the Keller Patent could be cited as prior art against the instant case, Keller Patent is not relevant since this patent teaches a method "that provides actions by way of an electronic distribution, wherein the recipient need only authorize the carrying out of the actions in the mail" (Col. 1, lines 42-45). But the recipient need authorize the actions.

This point must be emphasized in the Keller Patent, the action must be manually initiated. For example, column 2, line 64 to column 3, line 5 or column 3 lines 52-56, it is up to the recipient to select the embedded command so as to provide its extraction and execution by the processing system.

So it is up to the user to seek and select a command and not to the terminal as in claims 1, 14 of the pending application.

The Keller Patent teaches a method and system that "communicates an electronic

mail object in a data processing system" (col. 1, lines 46-47).

In other words, the mails are distributed through a data processing system, which is not a computer network such as the Internet as in present claims 1, 14. See for example column 3 lines 15-35, specially lines 28-30.

In the Keller Patent, it is up to the operating system of the data processing system to carry out the action by the recipient (see for example col. 4, lines 46-50) only if he has selected the command, and not the terminal, as in claims 1, 14 of the pending application, where the computer network only distributes the electronic mails.

These differences are essential to the present invention. Since these features not taught by the Keller Patent, the Keller Patent would not anticipate claims 1, 14 of the pending application.

The Keller Patent teaches that the command is inserted within the message, but it is up to the user to select and extract the command he accepts to execute. So claims 2 would still be patentable.

The Keller Patent discloses that the recipient carries out the request by selecting the action upon receipt of the electronic mail object, by claims 4 and 15 disclose the checking in order to capture the command, which is not the same, as it has been already explained. So, claims 4 and 15 are patentable.

Regarding claim 14, a terminal is not a user interface and a terminal of a computer network, as Internet, has a user interface, the reverse being not necessarily true (i.e. a user interface is not necessarily a terminal of a computer network). It is urged that the Examiner's rejection is not justified.

CLAIM REJECTIONS UNDER 35 USC §103

Claims 5-9 are rejected under 35 USC §103(a) as being unpatentable over the Keller Patent in view of U.S. Patent No. 5,819,110 ("Motoyama Patent"). Claim 17 is rejected under 35 USC §103(a) as being unpatentable over the Keller Patent in view of the Motoyama Patent. Claims 3, 10, 12, and 13 are rejected under 35 USC §103(a) as being unpatentable over the Keller Patent in view of U.S. Patent No. 5,838,685 ("Hochman Patent"). Claims 16 and 18 are rejected under 35 USC §103(a) as being unpatentable over the Keller Patent in view of the Hochman Patent.

The Motoyama Patent teaches a combination of a connectionless-mode of transmission (as Internet) between a machine and remote diagnostic station (col. 1, lines 59-61) and a connection-mode of transmission in the event the connectionless-mode of transmission is not suitable (col. 1, lines 63-65). The last one is used when urgent attention is needed (col. 2, lines 10-15), so a solution as taught in the pending application or as taught in the Keller Patent is avoided.

Neither the Keller Patent or the Motoyama Patent disclose the Keller Patent's teaching as discussed above. If the examiner agrees, present claims 5-9, 17 are patentable.

The Hochman Patent teaches a method and apparatus for the transmission of data files over a network with a particular application in connection with store-and-forward systems and acknowledgement of reception capability (abstract). The Hochman Patent does not disclose any command embedded in a mail, sought and captured by the terminal, in order to execute an action.

It is urged that the §103 rejection is in error and the Examiner is requested to reconsider and withdraw the same.

CONCLUSION

It is believed that all of the present claims are in condition for allowance. Early and favorable action is earnestly solicited.

AUTHORIZATION

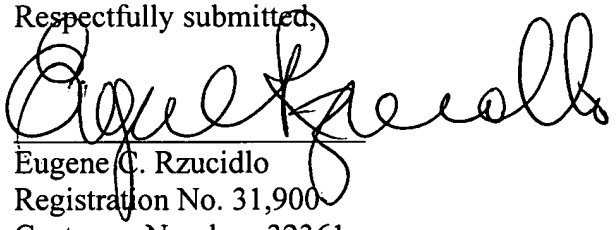
If the Examiner believes that issues may be resolved by telephone interview, the Examiner is respectfully urged to telephone the undersigned at (212) 801-2146. The undersigned may also be contacted by e-mail at ecr@gtlaw.com.

No additional fee is believed to be necessary. The Commissioner is hereby authorized to charge any additional fees which may be required for this amendment, or credit any overpayment to Deposit Account No. 50-1561.

In the event that an extension of time is required, or which may be required in addition to that requested in a petition for an extension of time, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to Deposit Account No. 50-1561.

Respectfully submitted,

Dated: August 11, 2004

By: 

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